

MAR 22 2023

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

Clerk, US District Court
Western District NC

UNITED STATES OF AMERICA

v.

CANNON EARL KRESS

DOCKET NO. ~~5:23-cr-10-KDB~~

BILL OF INDICTMENT

Violation:

18 U.S.C. §2422(b)

18 U.S.C. §2252A(a)(2)(A)

18 U.S.C. §2252A(a)(5)(B)

THE GRAND JURY CHARGES:

COUNT ONE

(Attempted Coercion and Enticement of a Minor)

From on or about October 21, 2022, and continuing through on or about November 2, 2022, in Watauga and Catawba Counties, within the Western District of North Carolina and elsewhere, the defendant,

CANNON EARL KRESS,

using a facility and means of interstate commerce, did knowingly attempt to persuade, induce, and entice an individual under the age of eighteen to engage in sexual activity for which any person can be charged with a criminal offense, including Taking Indecent Liberties with Children, North Carolina Gen. Stat. §14-202.1, and Statutory Sexual Offense with a Person Who is 12 years of Age or Younger, North Carolina Gen. Stat. § 14-27.28.

All in violation of Title 18, United States Code, Section 2422(b).

COUNT TWO

(Distribution of Child Pornography)

On or about October 26, 2022, in Watauga County, within the Western District of North Carolina and elsewhere, the defendant,

CANNON EARL KRESS,

did knowingly distribute any child pornography, as defined in 18 U.S.C. §2256(8), using any means or facility of interstate and foreign commerce or that has been mailed, or has been shipped

or transported in or affecting interstate or foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a)(2)(A) and (b)(1).

COUNT THREE

(Possession of Child Pornography)

On or about November 2, 2022, in Catawba County, within the Western District of North Carolina and elsewhere, the defendant,

CANNON EARL KRESS,

did knowingly possess any material that contained an image of child pornography, as defined in 18 U.S.C. §2256(8), that involved a minor who had not attained 12 years of age, and that has been mailed, shipped, and transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that have been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

All in violation of Title 18, United States Code, Section 2252A(a)(5)(B) and (b)(1).

NOTICE OF FORFEITURE AND FINDING OF PROBABLE CAUSE

Notice is hereby given of 18 U.S.C. § 2253. The following property is subject to forfeiture in accordance with Section 2253:

- a. Any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such depiction, which was produced, transported, mailed, shipped, or received during the violations set forth in this bill of indictment;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from proceeds of the violations;
- c. Any property, real or personal, used or intended to be used to commit or promote the violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b) and (c).

The Grand Jury finds probable cause to believe that the following property is subject to forfeiture on one or more of the grounds stated above:

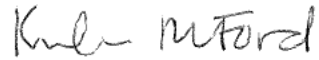
- a. An Apple iPhone 12 pro max seized from CANNON EARLY KRESS on or about November 2, 2022.

A TRUE BILL:

A black rectangular redaction box covering the signature of the foreperson.

FOREPERSON

DENA J. KING
UNITED STATES ATTORNEY

A handwritten signature in cursive script, appearing to read "Kimlani M. Ford".

KIMLANI M. FORD
ASSISTANT UNITED STATES ATTORNEY